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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

11	MIGUEL RAMIREZ-TORRES,)	Case No. C 10-05982 PSG
12	Plaintiff,)	
13	vs.)	STIPULATION FOR AMENDMENT OF
14	COUNTY OF SANTA CLARA, and)	COMPLAINT AND REMAND OF
15	DOES 1 to 50, inclusive,)	ACTION TO STATE COURT;
16	Defendants.)	XXXXXXXXXX RDER
)	
)	Federal Rules of Civil Procedure, Rule 15(a)
)	28 U.S.C. Section 1447(c)

17 TO THE HONORABLE COURT, TO ALL PARTIES HEREIN, AND TO THEIR ATTORNEYS:
 18 PLEASE TAKE NOTICE that Plaintiff MIGUEL RAMIREZ-TORRES, by and through his
 19 attorney of record Louis Spitters of the Law Offices of Louis Spitters, and Defendant COUNTY
 20 OF SANTA CLARA, by and through its attorney Nancy L. Clark, Deputy County Counsel, of the
 21 Office of the County Counsel, hereby stipulate as follows:

- 22 1. This action was removed by Defendant from the Superior Court of California,
 23 County of Santa Clara by Defendant on December 30, 2010 solely based upon the Court's Removal
 24 Jurisdiction, in that the Complaint includes claims for relief arising under federal law.
- 25 2. The parties hereby stipulate and agree, pursuant to Federal Rules of Civil Procedure,
 26 Rule 15(a), and in accordance with *Hells Canyon Preservation Council v U.S. Forest Service*,
 27 403 F.3d 683, 687-88 (9th Cir. 2005), that the Complaint shall be and is hereby amended to
 28 eliminate claims arising under federal law, including the following claims for relief alleged therein:

1 the First Cause of Action for Violation of 42 USC Sec. 1983 (appearing at page 7, line 24 to page
 2 8, line 25); the Second Cause of Action for Violation of 42 USC Section 1981 (appearing at page
 3 8, line 26 to page 9, line 23); and the Third Cause of Action for Violation of Title VII – Race
 4 Discrimination (appearing at page 9, line 24 to page, line 28). It is further agreed that each party
 5 shall bear their own costs and attorneys fees, if any, with respect to this amendment and the
 6 resulting elimination of the foregoing claims for relief from this action.

7 3. The parties further stipulate and agree, in light of the foregoing amendment, that the
 8 Complaint, as amended, sets forth no basis for jurisdiction in this District Court, and since no
 9 significant District Court resources have been expended, pursuant to 28 U.S.C. Section 1447(c),
 10 and in accordance with *Carnegie-Mellon University v Cohill*, 484 U.S. 343, 351–354, 108
 11 Sup.Ct. 614, 619–621 (1988) (court should remand action on elimination of federal
 12 claims), this action shall be remanded to the Superior Court of California, County of Santa
 13 Clara, under Case No. 1-10-CV-188889.

14 DATED: January 27, 2011

LAW OFFICES OF LOUIS SPITTERS


 LOUIS SPITTERS
 Attorney for Plaintiff
 MIGUEL RAMIREZ-TORRES

18 DATED: January 27, 2011

OFFICE OF THE COUNTY COUNSEL


 NANCY J. CLARK, Deputy County Counsel
 Attorney for Defendant
 COUNTY OF SANTA CLARA

ORDER ON STIPULATION

23 The Court having reviewed the foregoing Stipulation, and for good cause appearing,
 24 IT IS HEREBY ORDERED that this action shall be remanded to the Superior Court of
 25 California, County of Santa Clara, under Case No. 1-10-CV-188889.

26 DATED: February 1, 2011


 HON. PAUL S. GREWAL
 U.S. DISTRICT MAGISTRATE JUDGE

Case Name: Miguel Ramirez-Torres v County of Santa Clara
U.S. District Court, Northern District of California, San Jose Division, Case No.: C 10-05982 PSG

PROOF OF SERVICE BY U.S. MAIL

I certify and declare as follows:

I am over the age of 18 years, and not a party to this action. My business address is 96 North Third Street, Suite 500, San Jose, California 95112, which is located in the county where the mailing described below took place.

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

On January 27, 2011 at my place of business at 96 North Third Street, Suite 500, San Jose, California, (a copy of the attached/the following document):

STIPULATION FOR AMENDMENT OF COMPLAINT AND REMAND OF ACTION TO
STATE COURT; [Proposed] ORDER

was placed for deposit in the United States Postal Service in a sealed envelope, with postage fully prepaid, addressed to:

Nancy Clark, Deputy County Counsel
Office of the County Counsel
County of Santa Clara
70 West Hedding Street, East Wing – Ninth Floor
San Jose, CA 95110
Attorneys for Defendant County of Santa Clara

and the envelope was placed for collection and mailing on that date following ordinary business practices.

I certify and declare under penalty of perjury under the laws of the United States and of the State of California that the foregoing is true and correct.

Executed on January 27, 2011



LOUIS SPITTERS